

Notice of Allowability

Application No.

09/917,449

Examiner

Chirag G. Shah

Applicant(s)

ACOSTA ET AL.

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

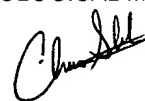
1. ☒ This communication is responsive to 10/26/06.
2. ☒ The allowed claim(s) is/are 1-3, 5-8 and 29; renumbered 1-8 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.



**CHIRAG G. SHAH
PRIMARY PATENT EXAMINER**

Attachment(s)

- | | |
|--|--|
| <ol style="list-style-type: none">1. <input type="checkbox"/> Notice of References Cited (PTO-892)2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none">5. <input type="checkbox"/> Notice of Informal Patent Application6. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance9. <input type="checkbox"/> Other _____ |
|--|--|

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with H. Dale Langley on 12/5/06.

The application has been amended as follows:

Claim 1 (currently amended): A wireless communications network, comprising:

- a wired network;

- a wireless channel;

- a wireless application service provider server computer connected to the wired network, ~~operable~~ operating via network protocols of the wired network for wired communications over the wired network, and operatively dedicated for effecting communications over the wireless channel via specialized transport layer protocols of the wireless channel for wireless communications over the wireless channel;

- a wireless packetized data communications provider equipment connected to the wireless application service provider server computer, for effecting communications of the server computer over the wireless channel in accordance with the specialized transport layer protocols of the wireless channel; and

Art Unit: 2616

a wireless device for communicating over the wireless channel, via the wireless packetized data communications provider equipment in accordance with the specialized transport layer protocols of the wireless channel, with the server computer;

~~wherein~~ the server computer is dedicated for communications with the wireless device, through the provider equipment over the wireless channel, via the specialized transport layer protocols;

~~wherein~~ the server computer intermediates communications of the wireless device to be carried over the wired network, by communicating with the wireless device via the specialized transport layer protocols and correspondingly communicating over the wired network via the network protocols of the wired network;

~~wherein~~ the specialized transport layer protocols for communications on the wireless channel reduce acknowledgement communications required per the network protocols of the wired network.

Claim 3 (currently amended): The wireless communications network of claim 2, ~~wherein~~ the wired network operates according to an open systems interconnect model protocol.

Claim 5 (currently amended): The wireless communications network of claim 2, ~~wherein~~ the wired network is Internet.

Claim 6 (currently amended): The wireless communications network of claim 1, ~~wherein~~ the wireless channel is a cellular packetized data system.

Art Unit: 2616

Claim 7 (original): The wireless communications network of claim 1, ~~wherein~~ the wireless channel is a CDPD system.

Reasons For Allowance

2. The following is an examiner's statement of reasons for allowance: Prior Art fails to disclose the combination of a wireless communications network such that the specialized transport layer protocols for communications on the wireless channel reduce acknowledgement communications required per the network protocols of the wired network in combination with other limitations set forth in the respective claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chirag G. Shah whose telephone number is 571-272-3144. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 571-272-7682. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

cgs

December 5, 2006



Chirag G. Shah
Primary Examiner, 2616

CHIRAG G. SHAH
PRIMARY PATENT EXAMINER